

General Terms of Approval - Issued



Notice No: 1535449

Department of Planning and Environment
Resource Assessments
GPO Box 39
SYDNEY NSW 2001

Attention: Swati Sharma

Notice Number 1535449
File Number 15/447870
Date 16-Nov-2015

Re: SSD 7036 Proposed Coraki Hard Rock Quarry

Issued pursuant to Section 91A(2) Environmental Planning and Assessment Act 1979

I refer to the development application and accompanying information provided for the hard rock quarry to be known as Coraki Quarry received by the Environment Protection Authority (EPA) on 9 November 2015. It is noted that the proposal involves:

- establishing a new quarry to extract a maximum of 1 million tonnes/year of hard rock material over an operating life of approximately 7 years;
- using a portion of the adjacent Peterson's Quarry to establish and operate a processing plant for the new quarry;
- using the Peterson's Quarry road access to access the new quarry;
- using a portion of Peterson's Quarry for stockpiling
- transporting material off-site by trucks, including to supply upgrade works on the Pacific Highway; and
- rehabilitating the site.

EPA has reviewed the information provided and notes:

- Processing equipment will be stored on the Peterson's Quarry site but utilised by both Coraki Quarry and Peterson's Quarry;
- There will be shared use of the access road by both quarries; and
- Material may be stored on either site regardless of origin
- An Environmental Protection Licence is in place for Peterson's Quarry (EPL 3397);
- The operator for both quarries is Quarry Solutions Pty Ltd.

Based on the above, EPA has determined that it is able to vary the licence issued to Peterson's Quarry to incorporate this proposal, subject to a number of conditions. The applicant will need to make a separate application to EPA to vary this licence.

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The general terms of approval for this proposal are provided at attachment A. If Department of Planning and Environment grants development consent for this proposal these conditions should be incorporated into the consent.

These general terms relate to the development as proposed in the documents and information currently provided to EPA. In the event that the development is modified either by the applicant prior to the granting of consent or as a result of the conditions proposed to be attached to the consent, it will be necessary to consult with EPA about the changes before the consent is issued. This will enable EPA to determine whether its general terms need to be modified in light of the changes.

In assessing the proposal EPA has also identified a number of environmental issues that Department of Planning and Environment may wish to consider in its overall assessment of the application. These issues include the following issues:

1. Noise impacts from quarrying activities and vehicular movements.

The increase in the scale of quarrying activities has the potential to impact on the amenity of residential receivers in proximity to quarrying operations and travel routes. The EPA has requested that a compliance noise review be undertaken after quarrying activities commence to ensure noise objectives are being met and to review mitigation measures.

2. Dust Control

Several of the activities associated with quarrying have the potential to result in unacceptable dust levels. In the event that dust complaint/s are received or dust emissions observed, the EPA may request a review of dust control and measurement of dust deposition.

3. Water Quality

Water quality undertaken on the site (refer report from Calibre Consulting dated 14 September 2015, Attachment 8 to the EIS) indicates that the discharges from basins may not meet the necessary quality parameters.

If you have any questions, or wish to discuss this matter further please contact Janelle Bancroft on 6640 2513.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Graeme Budd', written over a dotted line.

Graeme Budd

Head Environmental Management Unit

«NoticeAuthorisingOfficerSection»

(by Delegation)

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Administrative Conditions

Note: Mandatory conditions for all general terms of approval

A1. Information supplied to the EPA

A1.1 Except as expressly provided by these general terms of approval, works and activities must be carried out in accordance with the proposal contained in:

- the development application SSD 7036 submitted to Department of Planning and Environment on 1 October 2015;
- any environmental impact statement *Coraki Quarry Environmental Impact Statement dated November 2015* relating to the development; and
- all additional documents supplied to the EPA in relation to the development.

A2. Fit and Proper Person

A2.1 The applicant must, in the opinion of the EPA, be a fit and proper person to hold a licence under the Protection of the Environment Operations Act 1997, having regard to the matters in s.83 of that Act.

Discharges to Air and Water and Applications to Land

P1.1 The following utilisation areas referred to in the table below are identified in the EPA's general terms of approval, or a licence under the Protection of the Environment Operations Act 1997, for the purposes of the monitoring and/or setting of limits for any application of solids or liquids to the utilisation area.

Water and land

EPA Identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description
Sediment Basin Discharge 1 through to 4	Water	Water	Overflow point of stormwater from quarry floor.

Limit conditions

L1. Pollution of waters

Note: Mandatory condition

L1.1 Except as may be expressly provided by a licence under the Protection of the Environment Operations Act 1997 in relation of the development, section 120 of the Protection of the Environment Operations Act 1997 must be complied with in and in connection with the carrying out of the development.

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L2. Concentration limits

L2.1 For each monitoring/discharge point or utilisation area specified in the table/s (by a point number), the concentration of a pollutant discharged at that point, or applied to that area, must not exceed the concentration limits specified for that pollutant in the table.

L2.2 Where a pH quality limit is specified in the Table, the specified percentage of samples must be within the specified ranges.

L2.3 To avoid any doubt, this condition does not authorise the pollution of waters by any pollutant other than those specified in the table/s.

L2.4 Water and/or Land Concentration Limits

DISCHARGE POINT 1 (Sediment Basin Discharge 1 through to 4))

Pollutant	Units of measure	100 % concentration
Total Suspended Solids	mg/L	50
pH	pH units	6.5 - 8.5
Oil and grease	mg/L	Nil

L2.5 The concentration limits in the above table do not apply to any discharge from the sediment basin (at Point 1) solely arising from rainfall measured at the premises exceeding 60.2mm in total falling over any consecutive five day period.

L2.6 If the applicant uses turbidity (NTU) in place of total suspended solids (TSS) to determine compliance with the EPA's general terms of approval, or a licence issued under the Protection of the Environment Operations Act 1997, the applicant must develop a statistical correlation which identifies the relationship between NTU and TSS for water quality in the sediment basin/s in order to determine the NTU equivalent of 50 mg/L TSS prior to its use.

L2.7 If the applicant uses turbidity (NTU) in place of total suspended solids (TSS) to determine compliance with the EPA's general terms of approval, or a licence issued under the Protection of the Environment Operations Act 1997, the applicant must provide the EPA with a copy of the statistical correlation assessment methodology and results before using NTU in place of TSS.

L2.8 If the applicant uses turbidity (NTU) in place of total suspended solids (TSS) to determine compliance with the EPA's general terms of approval, or a licence issued under the Protection of the Environment Operations Act 1997, the applicant must develop and implement a method to enable the ongoing verification of the relationship between NTU and TSS.

L2.9 If the applicant uses turbidity (NTU) in place of total suspended solids (TSS) to determine compliance with the EPA's general terms of approval, or a licence issued under the Protection of the Environment Operations Act 1997, the applicant must provide the EPA with any amendments the applicant makes to the

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statistical correlation as a result of the ongoing verification required by Condition L2.8 before using the revised statistical correlation.

L3. Waste

L3.1 The applicant must not cause, permit or allow any waste generated outside the premises to be received at the premises for storage, treatment, processing, reprocessing or disposal or any waste generated at the premises to be disposed of at the premises, except as expressly permitted by a licence under the Protection of the Environment Operations Act 1997.

L4. Noise limits

L4.1 Noise from the premises must not exceed an LAeq (15 minute) noise emission criterion of 35 dB(A) for receivers R1 through to R9, except as expressly provided by these general terms of approval:

L4.2 Noise from the premises is to be measured at residential receivers R1 through to R9 as identified in the *Noise and Dust Assessment Proposed Coraki Quarry, Seelams Road, Coraki* prepared by MWA Environmental dated 4 November 2015. This condition does not apply if written permission from the property owners for an exceedance of condition L4.1 has been provided to the EPA.

L4.3 The noise limits set out in condition L4.1 apply under all meteorological conditions except for the following:

- Wind Speeds greater than 3 metres/second at 10 metres above ground level; or
- Temperature inversion conditions up to 3^o C/100m and wind speeds greater than 2 metres/second at 10 metres above ground level; or
- Temperature inversion conditions greater than 3^oC/100m.

L5. Blasting

L5.1 Blasting operations at the premises may only take place between 09:00 to 15:00 Monday to Friday. (Where compelling safety reasons exist, the Authority may permit a blast to occur outside the above mentioned hours. Prior written (or facsimile) notification of any such blast must be made to the Authority).

L5.2 The airblast overpressure level from blasting operations in or on the premises must not exceed:
a) 115 dB (Lin Peak) for more than 5% of the total number of blasts during each reporting period;
and
b) 120 dB (Lin Peak) at any time,
at any point within 1 meter of any affected residential boundary or other noise sensitive location unless the location is owned by the licensee or is subject to a private written agreement between the owner of the residence or noise sensitive location as to an alternative overpressure level.

L5.3 The ground vibration peak particle velocity from blasting operations carried out in or on the premises must not exceed:

- a) 5mm/s for more than 5% of the total number of blasts carried out on the premises during each reporting period; and
- b) 10 mm/s at any time,

at any point within 1 meter of any affected residential boundary or other noise sensitive location unless the location is owned by the licensee or is subject to a private written agreement between the owner of

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the residence or noise sensitive location as to an alternative ground peak velocity level.

L5.4 All sensitive receivers are to be given at least 24 hours notice when blasting is to be undertaken.

L6. Hours of operation

L6.1 Activities covered by the EPA's general terms of approval, or a licence under the Protection of the Environment Operations Act 1997, must only be carried out between the hours of 7:00 am and 6:00 pm Monday to Friday, and 8:00 am and 1:00 pm Saturday, and at no time on Sundays and Public Holidays.

L6.2 This condition does not apply to the delivery of material outside the hours of operation permitted by condition L6.1 if that delivery is required by police or other authorities for safety reasons; and/or the operation or personnel or equipment are endangered. In such circumstances, prior notification must be provided to the EPA and affected residents as soon as possible, or within a reasonable period in the case of emergency.

Operating conditions

01. Dust

01.1 Activities occurring in or on the premises must be carried out in a manner that will minimise the generation, or emission from the premises, of wind-blown or traffic generated dust.

02. Processes and management

02.1 Sediment basins shall be treated, if required, to reduce the Total Suspended Solids level to the concentration limit of 50 mg/L provided by the EPA's general terms of approval, or a licence under the Protection of the Environment Operations Act 1997, before being released to the environment. Treatment can be with gypsum or any other material that has been approved by the EPA.

02.2 The applicant must maximise the diversion of run-on waters from lands upslope and around the site whilst land disturbance activities are being undertaken.

02.3 The applicant must maximise the diversion of stormwater runoff containing suspended solids to sediment basins installed on the premises.

02.4 Where sediment basins are necessary, all sediment basins and associated drainage must be installed and commissioned prior to the commencement of any clearing or grubbing works within the catchment area of the sediment basin that may cause sediment to leave the site.

02.5 The applicant must ensure the design storage capacity of the sediment basins installed on the premises is reinstated within 5 days of the cessation of a rainfall event that causes runoff to occur on or from the premises.

02.6 The applicant must ensure that sampling point(s) for water discharged from the sediment basin(s) are provided and maintained in an appropriate condition to permit:

- a) the clear identification of each sediment basin and discharge point;

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- b) the collection of representative samples of the water discharged from the sediment basin(s); and
- c) access to sampling point(s) at all times by an authorised officer of the EPA.

O2.7 The applicant must endeavour to maximise the reuse of captured stormwater on the premises.

O2.8 Each sedimentation basin must have a marker (the "sediment basin marker") that identifies the upper level of the sediment storage zone.

O2.9 Whenever the level of liquid and other material in any sedimentation basin exceeds the level indicated by the sedimentation basin marker, the licensee must take all practical measures as soon as possible to reduce the level of liquid and other material in the sedimentation basin.

O2.10 The sediment basins must meet the design and operational standards of *Managing Urban Stormwater Soils and Construction: Volume 1 and Volume 2 E. Mines and quarries*. This document requires that at a minimum 90 percentile five-day rainfall event be used to determine basin sizing for quarries.

O2.11 All liquid chemicals, fuels and oils must be stored in tanks or containers inside suitable bund(s). Bund(s) are to be designed, constructed and maintained in accordance with AS1940-2004 Storage and Handling of Flammable and Combustible Liquids.

Monitoring and recording conditions

Note: Conditions should be used where applicable (ie where the general terms of approval have indicated limits). If it is proposed to include monitoring conditions in the general terms of approval, condition M1 will need to be included as a general term.

M1 Monitoring records

M1.1 The results of any monitoring required to be conducted by the EPA's general terms of approval, or a licence under the Protection of the Environment Operations Act 1997, in relation to the development or in order to comply with the load calculation protocol must be recorded and retained as set out in conditions M1.2 and M1.3.

M1.2 All records required to be kept by the EPA's general terms of approval, or a licence under the Protection of the Environment Operations Act 1997, must be:

- a) in a legible form, or in a form that can readily be reduced to a legible form;
- b) kept for at least 4 years after the monitoring or event to which they relate took place; and
- c) produced in a legible form to any authorised officer of the EPA who asks to see them.

M1.3 The following records must be kept in respect of any samples required to be collected:

- a) the date(s) on which the sample was taken;
- b) the time(s) at which the sample was collected;
- c) the point at which the sample was taken; and
- d) the name of the person who collected the sample.

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M2. Requirement to monitor concentration of pollutants discharged

M2.1 The applicant must monitor (by sampling and obtaining results by analysis) the concentration of each pollutant specified in Column 1. The applicant must use the sampling method, units of measure, and sample at the frequency, specified opposite in the other columns:

POINT 1 Water and Land

Discharge point 1 through to 4

Pollutant	Units of measure	Frequency
Total Suspended Solids	mg/L	Special Frequency 1.
pH	pH units	Special Frequency 1
Oil and grease	mg/L	Special Frequency 1

< *Special Frequency 1* > means sampling any discharge, whether controlled or otherwise, which has not occurred from rainfall exceeding 60.2 mm over any consecutive five day period.

M3. Testing methods - concentration limits.

M3.1 Subject to any express provision to the contrary of the EPA's general terms of approval, or a licence under the Protection of the Environment Operations Act 1997, monitoring for the concentration of a pollutant discharged to waters or applied to a utilisation area must be done in accordance with the Approved Methods Publication unless another method has been approved by the EPA in writing before any tests are conducted.

M4. Environmental monitoring

M4.1 The applicant is required to install and maintain a rainfall depth measuring device.

M4.2 Rainfall at the premises must be measured and recorded in millimetres per 24 hour period, at the same time each day.

Note: The rainfall monitoring data collected in compliance with Condition M4.2 can be used to determine compliance with L2.4.

M6. Other monitoring and recording condition

M6.1 For the purposes of monitoring for compliance with the noise limit conditions of the EPA's general terms of approval, or a licence under the Protection of the Environment Operations Act 1997, (condition L4) noise emitted from the premises must be measured or computed at 30 metres from the nearest residential dwelling/s over a period of 15 minutes using the "FAST" response on the sound level meter. A modifying

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factor correction must be applied for tonal, impulsive, or intermittent noise in accordance with the document NSW Industrial Noise Policy (NSW EPA, January 2000).

M7. Blast Monitoring

M7.1 The time of blasting, the air-blast overpressure level from blasting operations and the ground vibration peak particle velocity from blasting operations must be measured at the nearest sensitive receiver for each blast.

Reporting conditions

Note: Mandatory condition to be used on all general terms of approvals

R1.1 The applicant must provide an annual return to the EPA in relation to the development as required by any licence under the Protection of the Environment Operations Act 1997 in relation to the development. In the return the applicant must report on the annual monitoring undertaken (where the activity results in pollutant discharges), provide a summary of complaints relating to the development, report on compliance with licence conditions and provide a calculation of licence fees (administrative fees and, where relevant, load based fees) that are payable. If load based fees apply to the activity the applicant will be required to submit load-based fee calculation worksheets with the return.

Special Conditions

Special Condition 1. Extraction Limit and Duration

The extraction, processing or storage within Lot 401 is limited to 1,000,000 tonnes of material per annum. Extraction of material from Lot 401 is to cease by July 2022.

Extraction, processing and storage from Lot 402 and Lot 408 is limited to 250,000 tonnes of material per annum.

Special Condition 2. Installation of noise mitigation works.

The noise mitigation works identified in section 2.6.2 of the report, *Noise and Dust Assessment Proposed Coraki Quarry, Seelams Road, Coraki*, prepared by MWA Environmental dated 4 November 2015 must be installed prior to the commencement of quarrying activities at Lot 401. A report documenting these completed works is to be submitted to the EPA prior to quarrying at Lot 401.

Special Condition 3. Compliance noise monitoring report.

The licensee must engage a noise consultant to conduct compliance noise monitoring of normal quarry operations and impact on road noise and provide a report detailing the results of that monitoring.

Details including the details of plant and equipment operating on site at the time of monitoring must be provided in the report. The compliance noise monitoring report must be provided to the EPA within two months of the commencement of quarrying activities at Lot 401, under this approval/licence.

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Special Conditions 4. Dust Management Works.

The dust control measures identified in section 4.3.4 of the report *Noise and Dust Assessment Proposed Coraki Quarry, Seelams Road, Coraki* prepared by MWA Environmental dated 4 November 2015 must be installed prior to commencement of quarrying activities at Lot 401.

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Attachment – Mandatory Conditions for all EPA licences

Administrative conditions

Other activities

(To be used on licences with ancillary activities)

This licence applies to all other activities carried on at the premises, including:

- Extractive Activities; and
- Crushing

Operating conditions

Activities must be carried out in a competent manner

Licensed activities must be carried out in a competent manner.

This includes:

- a. the processing, handling, movement and storage of materials and substances used to carry out the activity; and
- b. the treatment, storage, processing, reprocessing, transport and disposal of waste generated by the activity.

Maintenance of plant and equipment

All plant and equipment installed at the premises or used in connection with the licensed activity:

- a. must be maintained in a proper and efficient condition; and
- b. must be operated in a proper and efficient manner.

Monitoring and recording conditions

Recording of pollution complaints

The licensee must keep a legible record of all complaints made to the licensee or any employee or agent of the licensee in relation to pollution arising from any activity to which this licence applies.

The record must include details of the following:

- the date and time of the complaint;
- the method by which the complaint was made;
- any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect;
- the nature of the complaint;

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- the action taken by the licensee in relation to the complaint, including any follow-up contact with the complainant; and
- if no action was taken by the licensee, the reasons why no action was taken.

The record of a complaint must be kept for at least 4 years after the complaint was made.

The record must be produced to any authorised officer of the EPA who asks to see them.

Telephone complaints line

The licensee must operate during its operating hours a telephone complaints line for the purpose of receiving any complaints from members of the public in relation to activities conducted at the premises or by the vehicle or mobile plant, unless otherwise specified in the licence.

The licensee must notify the public of the complaints line telephone number and the fact that it is a complaints line so that the impacted community knows how to make a complaint.

This condition does not apply until 3 months after this condition takes effect.

Reporting conditions

Annual Return documents

What documents must an Annual Return contain?

The licensee must complete and supply to the EPA an Annual Return in the approved form comprising:

- a. Statement of Compliance; and
- b. Monitoring and Complaints Summary.

A copy of the form in which the Annual Return must be supplied to the EPA accompanies this licence. Before the end of each reporting period, the EPA will provide to the licensee a copy of the form that must be completed and returned to the EPA.

Period covered by Annual Return

An Annual Return must be prepared in respect of each reporting, except as provided below

Note: The term "reporting period" is defined in the dictionary at the end of this licence. Do not complete the Annual Return until after the end of the reporting period.

Where this licence is transferred from the licensee to a new licensee,

- a. the transferring licensee must prepare an annual return for the period commencing on the first day of the reporting period and ending on the date the application for the transfer of the licence to the new licensee is granted; and
- b. the new licensee must prepare an annual return for the period commencing on the date the application for the transfer of the licence is granted and ending on the last day of the reporting period.

Note: An application to transfer a licence must be made in the approved form for this purpose.

Where this licence is surrendered by the licensee or revoked by the EPA or Minister, the licensee must prepare an annual return in respect of the period commencing on the first day of the reporting period and ending on

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- a. in relation to the surrender of a licence - the date when notice in writing of approval of the surrender is given; or
- b. in relation to the revocation of the licence – the date from which notice revoking the licence operates.

Deadline for Annual Return

The Annual Return for the reporting period must be supplied to the EPA by registered post not later than 60 days after the end of each reporting period or in the case of a transferring licence not later than 60 days after the date the transfer was granted (the 'due date').

Notification where actual load can not be calculated

(Licences with assessable pollutants)

Where the licensee is unable to complete a part of the Annual Return by the due date because the licensee was unable to calculate the actual load of a pollutant due to circumstances beyond the licensee's control, the licensee must notify the EPA in writing as soon as practicable, and in any event not later than the due date.

The notification must specify:

- a. the assessable pollutants for which the actual load could not be calculated; and
- b. the relevant circumstances that were beyond the control of the licensee.

Licensee must retain copy of Annual Return

The licensee must retain a copy of the annual return supplied to the EPA for a period of at least 4 years after the annual return was due to be supplied to the EPA.

Certifying of Statement of Compliance and Signing of Monitoring and Complaints Summary

Within the Annual Return, the Statement of Compliance must be certified and the Monitoring and Complaints Summary must be signed by:

- a. the licence holder; or
- b. by a person approved in writing by the EPA to sign on behalf of the licence holder.

A person who has been given written approval to certify a Statement of Compliance under a licence issued under the Pollution Control Act 1970 is taken to be approved for the purpose of this condition until the date of first review this licence.

Notification of environmental harm

Note: The licensee or its employees must notify the EPA of incidents causing or threatening material harm to the environment as soon as practicable after the person becomes aware of the incident in accordance with the requirements of Part 5.7 of the Act

Notifications must be made by telephoning the EPA's Pollution Line service on 131 555.

The licensee must provide written details of the notification to the EPA within 7 days of the date on which the incident occurred.

Written report

Where an authorised officer of the EPA suspects on reasonable grounds that:

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- a. where this licence applies to premises, an event has occurred at the premises; or
- b. where this licence applies to vehicles or mobile plant, an event has occurred in connection with the carrying out of the activities authorised by this licence,

and the event has caused, is causing or is likely to cause material harm to the environment (whether the harm occurs on or off premises to which the licence applies), the authorised officer may request a written report of the event.

The licensee must make all reasonable inquiries in relation to the event and supply the report to the EPA within such time as may be specified in the request.

The request may require a report which includes any or all of the following information:

- a. the cause, time and duration of the event;
- b. the type, volume and concentration of every pollutant discharged as a result of the event;
- c. the name, address and business hours telephone number of employees or agents of the licensee, or a specified class of them, who witnessed the event; and
- d. the name, address and business hours telephone number of every other person (of whom the licensee is aware) who witnessed the event, unless the licensee has been unable to obtain that information after making reasonable effort;
- e. action taken by the licensee in relation to the event, including any follow-up contact with any complainants;
- f. details of any measure taken or proposed to be taken to prevent or mitigate against a recurrence of such an event;
- g. any other relevant matters.

The EPA may make a written request for further details in relation to any of the above matters if it is not satisfied with the report provided by the licensee. The licensee must provide such further details to the EPA within the time specified in the request.

General conditions

Copy of licence kept at the premises or on the vehicle or mobile plant

A copy of this licence must be kept at the premises or on the vehicle or mobile plant to which the licence applies.

The licence must be produced to any authorised officer of the EPA who asks to see it.

The licence must be available for inspection by any employee or agent of the licensee working at the premises or operating the vehicle or mobile plant.